

**THE CITY OF BATTLEFIELD
BOARD OF ALDERMEN
REGULAR SESSION MINUTES
FEBRUARY 21, 2012**

Item 1 Call to order

Mayor Kruse called the meeting to order at 7:00 p.m. in Battlefield City Hall. The following Board members were present: Stephen Esterline, Mike Goldenberg, Scott Anderson, Carolyn Poole, and Shawn Billings. Alderman Debra Hickey was absent.

Item 2 Ceremonial Matters

The invocation was led by Phil Illum a retired Pastor from Battlefield, Missouri. Alderman Stephen Esterline led the pledge of allegiance.

Item 3 Announcements

Mayor Aaron Kruse introduced Alderman Poole and asked for an update on the City Spring Event. Alderman Poole noted she e-mailed everyone an invitation for the City Spring Event set for the 29th of March from 6-8 p.m. at the Community Center so all of the various Committees, Commissions, and Boards could visit and get updates on what is going on in the City. Alderman Poole asked everyone to RSVP so she could get the numbers to the Caterer who is the Pasta Company.

Item 4 Mayor Updates

Mayor Kruse noted he attended the second session of the leadership training in Columbia, MO last week and noted it was interesting talking with other Cities about their struggles and triumphs with municipal government. Mayor Kruse noted he was continuing discussions with Police Chief Vallely and City Administrator Rick Hess on how to handle complaints within the City both internal and external. Mayor Kruse notified everyone that Alderman Hickey was home from her heart surgery and is recovering so he would wait until her return to discuss the building permit form and possible changes to it until then.

Item 5 City Administrator Updates

City Administrator Rick Hess noted the Grant Application for SEMA funding discussed at the last Board meeting had been submitted on time and there were a few bits of information still needed that have since been obtained and submitted as requested but it would be months before the City will know if the grant is approved.

Item 6 Fire Chief Updates

Fire Chief Bryan Newberry addressed the Board and explained the Board of Directors for the Fire District met on the 14th of February where they discussed how to best recognize their firefighters. Chief Newberry mentioned an emergency medical technician course and medical training entity was evaluated for re-licensure was given that is required every 5 years. The District passed with flying colors. Chief Newberry informed the Board he was working with Greene County Highway Department to repair their parking lot. Chief Newberry informed the Board the District had adopted a line of duty death procedure so they could have a plan in place before a tragedy occurs rather than after one. Chief Newberry noted that retired Chief Rick Lasky would be coming to speak on July 21st to their location in the Springfield area and he expected a big crowd from the surrounding area. Chief Newberry commented the Board or anyone else could check out their website to view their calendar to see what type of trainings

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and activities they have planned along with safety tips too. Chief Newberry noted his district was always willing to come to talk to civic groups if requested and to assist with any Emergency Management/Fire Safety and hazard needs.

Item 7 Adoption and Approval of Consent Agenda

Motion was made by Alderman Billings to adopt and approve the consent agenda items a-f including the following items: February 7, 2012 regular session minutes, Bills paid in the amount of \$10,924.74, Bills to approve in the amount of \$ 29,107.84, January 2012 Financials, January 2012 Bank Reconciliations, Committee and employee reports. Motion was seconded by Alderman Goldenberg. A roll call vote was taken and the vote was 5 ayes-Stephen Esterline aye, Mike Goldenberg aye, Scott Anderson aye, Carolyn Poole aye, and Shawn Billings aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved.

Item 8 Public Input

None.

Item 9 Unfinished Business

None.

Item 10 a Discussion and Possible Vote to Approve Resolution #12-R-02, a resolution concerning Voluntary Annexation for property located at 3651 W. Farm Road 178.

City Attorney Jim Kelly expressed a concern to make sure the City had confirmation of title work on the legal description based on the City's past experiences with a past lawsuit regarding annexations. City Administrator Rick Hess noted the legal was affected by the road work done on Weaver Road (W. Farm Road 178) by the County and that the pervious parcel owned by another property owner had already been annexed into the City. City Clerk Beth Anne West interjected she had contacted the County to verify any changes to the legal before proceeding with this annexation based on the recent work done to the road for this property owner and the County confirmed it was correct. Motion was made by Alderman Esterline to approve resolution #12-R-02 as presented. The motion was seconded by Alderman Billings. A roll call vote was taken and the vote was 5 ayes-Shawn Billings aye, Carolyn Poole aye, Scott Anderson aye, Mike Goldenberg aye, and Stephen Esterline aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved.

Item 10 b Discussion and Possible Vote to Approve Ordinance #12-02, an Ordinance Repealing in Part and Amending In Part Paragraph 3 of Subsection A of Section 400.140 of The Code Of Ordinances of The City of Battlefield, Missouri, Relating to Residency Requirements for Citizen Members of The Planning And Zoning Commission.

Motion was made by Alderman Billings to have the first reading of Bill #12-02 by title only. Motion was seconded by Alderman Anderson. A roll call vote was taken and the vote was 5 ayes-Stephen Esterline aye, Mike Goldenberg aye, Scott Anderson aye, Carolyn Poole aye, and Shawn Billings aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. The Bill was read by title only for the first time by City Clerk Beth Anne West.

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Motion was made by Alderman Billings to approve the first reading of Bill #12-02 by title only. Motion was seconded by Alderman Anderson. A roll call vote was taken and the vote was 5 ayes-Shawn Billings aye, Carolyn Poole aye, Scott Anderson aye, Mike Goldenberg aye, and Stephen Esterline aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. Motion was made by Alderman Billings to have the second reading of Bill #12-02 by title only. Motion was seconded by Alderman Goldenberg. A roll call vote was taken and the vote was 5 ayes- Stephen Esterline aye, Mike Goldenberg aye, Scott Anderson aye, Carolyn Poole aye, and Shawn Billings aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. The Bill was read by title only for the second time by City Clerk Beth Anne West. Motion was made by Alderman Billings to approve the second and final reading of Bill #12-02 by title only and make it Ordinance #12-02. Motion was seconded by Alderman Goldenberg. A roll call vote was taken and the vote was 5 ayes- Shawn Billings aye, Carolyn Poole aye, Scott Anderson aye, Mike Goldenberg aye, and Stephen Esterline aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved.

Item 10 c Discussion and Possible Vote to Approve Ordinance #12-03, an Ordinance Approving the First Amended and Restated Redevelopment Plan, as Revised by the Third Revision, and Redevelopment Project with Respect Thereto; Authorizing Certain Actions by City Officials and Containing a Severability Clause.

Mayor Aaron Kruse introduced Mr. Paul Larino, the Developer of the Wilson's Creek Marketplace who gave an overview of the actions of the site beginning with the adoption of the plan in 2009 where he referenced the goals on page 3 of the Plan to the Board and noted the development would have a new Anchor Tenant which would be Menard's. Mr. Larino noted a representative from Menard's was here tonight and would provide the Board some information on the upcoming site work. Mr. Larino noted there were two funds that would be associated with the TIF which would be known as the Economic Activity Taxes (EATS) and the Payment in Lieu of Taxes (PILOTS) accounts the City would be setting up to help defer the costs of improving the development site. City Attorney asked Mr. Larino if the issue with the PILOTS funds had been resolved. Mr. Larino stated replied yes. Mr. Tyler Edwards, Real Estate Representative from Menards noted his company was excited to begin work at the site which would have about a 160,000 sq. ft. building that would sell items ranging from Lumber, to frozen pizza. Mr. Edwards noted this was there 6th store in Missouri and they are based in Wisconsin and they are looking to open in the spring of 2013. Alderman Anderson asked if everything was in place. Mr. Edwards responded that the Building Permits would need to be processed and issued and the site plan needs to be approved by City Staff and City Engineers. City Administrator Rick Hess noted there would be some variances on this project that would need to go through the Board of Adjustments, so all of the approvals should take about 2 months. Mr. Edwards noted construction would take about 9-10 months after the plans were approved. Motion was made by Alderman Goldenberg to have the first reading of Bill #12-03 by title only. Motion was seconded by Alderman Billings. A roll call vote was taken and the vote was 5 ayes- Stephen Esterline aye, Mike Goldenberg aye, Scott Anderson aye, Carolyn

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Poole aye, and Shawn Billings aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. The Bill was read by title only for the first time by City Clerk Beth Anne West. Motion was made by Alderman Goldenberg to approve the first reading of Bill #12-03 by title only. Motion was seconded by Alderman Billings. A roll call vote was taken and the vote was 5 ayes- Shawn Billings aye, Carolyn Poole aye, Scott Anderson aye, Mike Goldenberg aye, and Stephen Esterline aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. Motion was made by Alderman Billings to have the second reading of Bill #12-03 by title only. Motion was seconded by Alderman Goldenberg. A roll call vote was taken and the vote was 5 ayes- Stephen Esterline aye, Mike Goldenberg aye, Scott Anderson aye, Carolyn Poole aye, and Shawn Billings aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. The Bill was read by title only for the second time by City Clerk Beth Anne West. Motion was made by Alderman Billings to approve the second and final reading of Bill #12-03 by title only and make it Ordinance #12-03. Motion was seconded by Alderman Goldenberg. A roll call vote was taken and the vote was 5 ayes- Shawn Billings aye, Carolyn Poole aye, Scott Anderson aye, Mike Goldenberg aye, and Stephen Esterline aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved.

Item 11 Executive Session

Discussion and possible vote concerning RSMo. 610.021. (1), Potential Litigation, **Closed session. Closed record. Closed vote.**

Motion was made by Alderman Goldenberg to go into executive session at 7:45 p.m. Motion was seconded by Alderman Anderson. A roll call vote was taken and the vote was 5 ayes- Shawn Billings aye, Carolyn Poole aye, Scott Anderson aye, Mike Goldenberg aye, and Stephen Esterline aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved.

Motion was made by Alderman Esterline to go into open session at 7:53 p.m. Motion was seconded by Alderman Anderson. A roll call vote was taken and the vote was 5 ayes- Shawn Billings aye, Carolyn Poole aye, Scott Anderson aye, Mike Goldenberg aye, and Stephen Esterline aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. Mayor Kruse announced that no action or votes were taken during executive session.

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Item 12 Adjournment

Motion was made by Alderman Poole to adjourn the meeting. The motion was seconded by Alderman Goldenberg. A roll call vote was taken and the vote was 5 Ayes-Stephen Esterline aye, Mike Goldenberg aye, Scott Anderson aye, Carolyn Poole aye, and Shawn Billings aye. 0 nays. Alderman Debra Hickey was absent for the vote. Motion approved. The meeting adjourned at 7:54 p.m.

_____ Mayor Aaron Kruse _____ Date

ATTEST:

_____ City Clerk _____ Date

Reading and Vote to Approve Minutes:

Minutes Approved: